

UNITED STATES OF APPEALS
FOR THE ELEVENTH CIRCUIT

JAMES DARYL WEST,) Case No. 22-11541
)
)
 Plaintiff-Appellant,)
)
)
 v.)
)
)
 SABRINA SCHULTZ, et al.,)
)
)
 Defendants-Appellees.)
)
)

PLAINTIFF-APPELLANT'S MOTION TO EXPEDITE
CALENDARING OF ORAL ARGUMENTS

Certificate of Interested Parties &
Corporate Disclosure Statement

Asti, David Charles	Former Counsel for Defendant-Appellee Diann Spratt
Berrios, Carmello	Defendant-Appellee
Blankenship, Karen	Defendant-Appellee
Chimpoulis & Hunter, P.A.	Former Firm Counsel for Defendants-Appellees
Conner, Kathy	Defendant-Appellee
Desai, Devang	Counsel for Appellee Wexford Health Sources, Inc.

Dombrowsky, Alexander	Former Counsel for Defendants-Appellees Bonnie LaRosa, Howard Wetterer, Karen Blankenship, Ronald Hemphill, Wexford Health Sources, Inc.
Florida Attorney General's Office	Firm Counsel for Defendant-Appellee Diann Spratt
Florida Department of Corrections	Defendant-Appellee
Gaebe, Mullen, Antonelli & DiMatteo	Firm Counsel for Defendant-Appellee Wexford Health Sources, Inc.
Gilbreath, Robert	Defendant-Appellee
Hashimoto, Erica	Counsel for Appellant
Hemphill, Ronald	Defendant-Appellee
Hunter, Mary Katherine	Former Counsel for Defendants-Appellees Bonnie LaRosa, Howard Wetterer, Karen Blankenship, Ronald Hemphill, Wexford Health Sources, Inc.,
Inch, Mark	Defendant-Appellee
Johnson, Caroline	Former Counsel for Defendants-Appellees Diann Spratt, James Licata, Julie L. Jones, Kara Williams,
Jones, Julie L.	Defendant-Appellee
Lampke, Miranda Card	Law Student Counsel for Plaintiff-Appellant

LaRosa, Bonnie	Defendant-Appellee
Law Office of Emily Smith	Firm Counsel for Defendant-Appellee Wexford Health Sources, Inc.
Licata, James	Defendant-Appellee
Lorber, Greenfield & Polito	Firm Counsel for Defendant-Appellee Wexford Health Sources, Inc.
Mizell, Nicholas P.	U.S. Magistrate Judge
Peng, John	Counsel for Plaintiff-Appellant
Plappert, Stanley W.	Former Counsel for Appellant
Polster Chappell, Sheri	U.S. District Judge
Rives, Marie T.	Former Counsel for Defendants-Appellees Diann Spratt, James Licata, Julie L. Jones, Kara Williams, Kathy Conner, Mark Inch, Robert Williams
Rollins, Ivy	Former Counsel for Defendant-Appellee Diann Spratt
Spratt, Diann	Defendant-Appellee
Schultz, Sabrina	Defendant-Appellee
Smith, Emily C.	Counsel for Defendant-Appellee Wexford Health Sources, Inc.
The Bantry Group	Parent Corporation of Defendant-Appellee Wexford Health Sources, Inc. (Not Publicly Held)

The Florida Legal Advocacy Group, P.A.	Former Firm Counsel for Plaintiff-Appellant
Thibeault, Melissa Amy	Former Counsel for Plaintiff-Appellant
Ward, Owen David	Law Student Counsel for Plaintiff-Appellant
Wetterer, Howard	Defendant-Appellee
West, James Daryl	Plaintiff-Appellant
Wexford Health Sources, Inc.	Defendant-Appellee
Wilcox, Caitlin E.	Counsel for Appellee Diann Spratt
Williams, Kara	Defendant-Appellee
Winsby, Joseph Maxwell	Counsel for Defendants-Appellees Bonnie LaRosa, Karen Blankenship, Ronald Hemphill, Wexford Health Sources, Inc.,

Undersigned counsel for Plaintiff-Appellant James Daryl West certifies that to the best of his knowledge, the foregoing is a complete list of all interested parties to the instant case. Counsel further certifies that to the best of his knowledge, no publicly traded company or corporation has an interest in the outcome of these proceedings.

Motion

Plaintiff-Appellant James Daryl West, by and through undersigned counsel, respectfully moves for expedited calendaring of oral arguments. Counsel for Defendants-Appellees indicate all Defendants-Appellees oppose this request. In support of this motion, undersigned counsel states as follows:

1. On June 18, 2024, this Court appointed Erica Hashimoto and the Georgetown University Law Center's Appellate Litigation Clinic as counsel for Plaintiff-Appellant. *See* ECF No. 68-2 at 2. It further classed the case for oral argument and indicated the case should be put on the earliest available oral argument calendar following the completion of briefing. *See id.*
2. On November 1, 2024, Plaintiff-Appellant filed his supplemental opening brief. *See* ECF No. 80. Two law students performed significant work on the brief.
3. On December 27, 2024, and January 2, 2025, Defendants-Appellees filed their response briefs. *See* ECF Nos. 86, 87. Plaintiff-Appellant's reply brief is due on January 30, 2025, and Plaintiff-

Appellant anticipates filing the reply brief by that date. The law students are also doing significant work on the reply brief.

4. The law students working on this case will graduate from the Georgetown University Law Center on May 18, 2025. They will lose eligibility to provide legal representation under supervision following their graduation. The Appellate Litigation Clinic will have no law student assistance for the summer months, with a new academic year starting in mid-August 2025.

5. Plaintiff-Appellant respectfully requests this Court to expedite calendaring of oral arguments in this case for a date prior to May 18, 2025. Holding arguments prior to the students' graduation would promote this case's efficient resolution because it would allow the students who have worked incredibly hard on the case to present arguments.

6. Undersigned counsel respectfully submits that Defendants-Appellees would not be prejudiced by granting this request because this Court has already previously indicated the case should be put on the earliest possible argument calendar upon completion of briefing. *See* ECF No. 68-2 at 2.

WHEREFORE, Petitioner-Appellant respectfully requests this Court grant the motion and calendar oral arguments in this case for a date prior to May 18, 2025.

Respectfully submitted,

/s/ John H. Peng

John H. Peng
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DATED: Jan. 13, 2025
Washington, DC

Certificate of Compliance

I hereby certify that the foregoing motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A), because it contains 347 words, which is fewer than the 5,200 words permitted for motions. I further certify the motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because it has been prepared in 14-point Century Schoolbook font—which is a proportionally spaced typeface—using the Microsoft Word software.

/s/ John H. Peng

John H. Peng
GEORGETOWN UNIVERSITY LAW
CENTER

Certificate of Service

I hereby certify that I electronically filed the foregoing Plaintiff-Appellant's Motion to Expedite Calendaring of Oral Arguments on January 13, 2025, via the Court's CM/ECF system. I further certify that counsel for Defendants-Appellees are all CM/ECF users and service will be completed through the CM/ECF notification system.

/s/ John H. Peng

John H. Peng
GEORGETOWN UNIVERSITY LAW
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